

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jacques Dumas et al.

Serial No.: 10/788,426

Group Art Unit: 1625

Filed: March 1, 2004

Examiner: Heidi L. Reese

For: **NOVEL BICYCLIC UREA DERIVATIVES USEFUL IN THE TREATMENT OF CANCER AND OTHER DISORDERS**

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
 - ☐ within three months of the actual filing date of the national phase of a PCT application; OR
 - ☒ before the mailing of a first substantive office action (including after filing of an RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
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- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below;
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- ☐ a final action under 37 C.F.R. § 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

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Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an international search report dated _____.

- ☒ Not required by 37 CFR § 1.98.
- ☒ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
 - X = document of particular relevance when it is taken alone
 - Y = document of particular relevance when it is combined with another such document
 - A = document defining the general state of the art
 - O = non-written disclosure
 - P = intercalated document
 - T = document cited to understand the theory or principle underlying the invention
 - E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
 - D = cited in the application
 - L = cited for another reason
 - & = publication of member of same patent family
- ☐ Translation of other relevant information on foreign search report

Other Information

- ☒ Document no. C15, WO 95/02136 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 5,667,226, cited here as document no. A111a, is an English equivalent.

Document no. C25, WO 96/02112 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 5,801,794 cited herewith as document no. A123a, is an English language equivalent.

Document no. C35, WO 97/17329 A1, is in a foreign language. An English abstract may be found on the fact page of the document. US Patent No. 6,143,764, cited herewith as document no. A154, is an English language

equivalent.

Document no. C48, WO 98/22432 A1, is in a foreign language. An English abstract may be found on the fact page of the document

Document no. C59, WO 99/00370 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 6,159,901, cited herewith as document no. A157a, is an English language equivalent.

Document no. C76, WO 99/33458 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 7,371,763, cited herewith as document no. A224, is an English language equivalent.

Document no. C78, WO 99/40673 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 6,236,125, cited herewith as document no. A170a, is an English language equivalent.

Document no. C91, WO 00/39116 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 6,511,997, cited herewith as document no. A202, is an English language equivalent.

Document no. C94, WO 00/43366 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 6,797,823, cited herewith as document no. A217, is an English language equivalent.

Document no. C104, WO 01/07411 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 6,958,333, cited herewith as document no. A217a, is an English language equivalent.

Document no. C124, WO 02/32872 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 7,612,092 cited herewith as document no. A227b, is an English language equivalent.

Document no. C131, WO 02/059102 A2, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 7,605,261 cited herewith as document no. A227a, is an English language equivalent.

Document no. C156, WO 03/094626 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Application No.

2005/0175737, cited herewith as document no. B49c, is an English language equivalent.

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Document no. C188, WO 2005/042520 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Application No. 2007/006660, cited herewith as document no. B57b, is an English language equivalent.

Document no. C189, WO 2005/047283 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Patent No. 7,547,695, cited herewith as document no. A226a, is an English language equivalent.

Document no. C191, WO 2005/049603 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Application No. 2007/0149594, cited herewith as document no. B58a, is an English language equivalent.

Document no. C201, WO 2006/105844 A1, is in a foreign language. An English abstract may be found on the face page of the document. US Application No. 2008/0207699, cited herewith as document no. B71a, is an English language equivalent.

Document no. D1, EP 0016371 A1, is in a foreign language. An English abstract is cited herewith as document nos. P317 and P318.

Document no. D3, EP 0116932 A1, is in a foreign language. An English abstract is cited herewith as document nos. P319 and P320.

Document no. D5, EP 0202538 A1, is in a foreign language. An English abstract is cited herewith as document nos. P321 and P322.

Document no. D6, EP 0230400 A2, is in a foreign language. US Patent No. 4,977,169, cited herewith as document no. A70a, is an English language equivalent.

Document no. D8, EP 0242666 A1, is in a foreign language. US Patent No.

4,921,525, cited herewith as document no. A69a, is an English language equivalent.

Document no. D10, EP 0314615 A2, is in a foreign language. US Patent No. 4,996,325, cited herewith as document no. A72a, is an English language equivalent.

Document no. D11, EP 0335156 A1, is in a foreign language. An English language abstract is provided with the reference.

Document no. D13, EP 0371876 A1, is in a foreign language. US Patent No. 5,059,614, cited herewith as document no. A74, is an English language equivalent.

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Document no. P148 is in a foreign language. An English abstract is included with the document.

Document no. P151 is in a foreign language. An English abstract is included with the document.

Document no. P172a is in a foreign language. An English abstract is included with the document.

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☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,

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